

REMARKS

Applicants thank the Examiner for indicating the claims contain allowable subject matter. After entry of the present amendment, claims 2-8 and 11-18, 20-23 and 26-36 will be pending in the present application. Claims 1, 10, 19, 24 and 25 have been canceled without prejudice. Claim 20 has been amended without prejudice to at least be an independent claim and to remove non-elected subject matter. Support for the amendment to claim 20 can be found at least in originally filed claim 1 and page 18, lines 24-28 of the application as originally filed. Claims 2-8 and 11-18, and 26-30 have been amended to ultimately depend from claim 20. Claim 21 has been amended to correct dependency. New claims 31-36 have been added. Support for claims 31-36 can be found throughout the application as filed, including at least originally filed claims 1, 5-8, 11 and 12. The amendments to the claims are fully supported by the application as filed. Accordingly, applicants respectfully request entry of this amendment into the application.

In view of the amendments and following remarks, applicants respectfully request reconsideration and withdrawal of the rejections and objections set forth in the Office Action.

Election/Restriction

In the Office Action, the claims were objected to because “the claims are still drawn to non-elected inventions. Note that Group I is drawn to [1,4]oxazino compounds (i.e. variable X in formula I is -C-O-C-). The variable X in claim 1 (page 8) is defined as $-(C(R^{15})_2)_m-O-(C(R^{15})_2)_k-$, thus, variables k and m should be both 1 to give [1,4]oxazino and not 0-2. It is required that applicants amend the claims so that variable k = 1 and m = 1.” Applicants have amended the claims, without prejudice, to cover only methods using 1,4 oxazino compounds. Therefore, applicants respectfully request the Examiner withdraw this objection

Objection

In the Office Action, claims 17-18 and 30 were objected to as being drawn to multiple inventions. Applicants have amended claims 17, 18 and 30 to remove non-elected subject matter.

Claim Rejections - 35 U.S.C. § 112, Second Paragraph


In the Office Action, claims 1-16 and 19-29 were "rejected under 35 U.S.C. 112, second paragraph, as being indefinite[.]" Particularly the claims were rejected for reciting "C₁₋₇ alkyl which is optionally partially unsaturated" and "C₃₋₈ cyloalkyl which is optionally partially unsaturated[.]" Claim 1 has been canceled. Applicants have amended the remaining claims as suggested by the Examiner. In light of these amendments and comments, applicants respectfully request the Examiner withdraw these rejections.

CONCLUSION

In view of the above remarks and amendments, applicants respectfully submit that this application is in condition for allowance and earnestly solicit notice to that effect. The Examiner is invited to contact the undersigned at the telephone number provided below if the Examiner believes such would be helpful in advancing the application to issue.

Respectfully submitted,

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